

ZONING AND ADJUSTMENT BOARD

April 2, 2007

The Zoning and Adjustment Board of Sumter County, Florida, convened on Monday, April 2, 2007, at 6:30 pm with the following members present: Larry Story – Chairman, Ron Berry, Frank Topping, Richard Cole, Marge Thies, Frank Szczepanski, Dossie Singleton, Nathan Yoder and Brad Shepherd. Woody Hill arrived during testimony for S2007-0008.

Bailey Cassels and Todd Brown were absent.

Lee Hawkins - Zoning and Adjustment Board Attorney, Sandy Cassels - Secretary, and Brad Cornelius - Planning Manager, were present.

Chairman Larry Story called the meeting to order with Mr. Cole leading the pledge of allegiance and Mr. Berry leading the prayer.

Mr. Story presented the proof of publication.

Mr. Cole made a motion to approve the minutes from the March 19, 2007, meeting. Mr. Topping seconded the motion and the motion carried.

C2007-0002

Franklin & Ruth Dixon, Etal. – Conditional Use Permit to Expand a Limerock Mine – Rinker - Florida Crushed Stone – St. Catherine

Mr. Cole made the motion to remove this item from the table. Mr. Berry seconded the motion and the motion carried.

Mr. Cornelius read a letter from the applicant requesting this item be tabled until the April 16, 2007, Zoning & Adjustment Board (ZAB) meeting and May 29, 2007, Board of County Commissioners (BOCC) meeting.

Mr. Topping made the motion to table this application to the April 16, 2007, ZAB meeting and May 29, 2007, BOCC meeting. Mr. Cole seconded the motion and the motion carried.

R2007-0013

Robert Clark – Rezone 3 acres MOL from a non-compliant A5 to RR1 to complete a lineal transfer

Robert Clark, applicant, was present and requesting a rezoning on 3 acres MOL from a non-complaint A5 to RR1 to complete a lineal transfer. There were nine (9) notices sent. Of the nine (9) notices sent, none were returned in favor or in objection. There were no objections from the audience. Mr. Topping asked Mr. Clark who was deeding him the property. Mr. Clark stated his mother is deeding him the property.

Mr. Topping made the motion to recommend approval of this rezoning to the Board of County Commissioners. Mr. Cole seconded the motion and the motion carried.

S2007-0008

Oxford Holding – Special Use Permit to allow a Trap & Skeet Range on 145 acres MOL.

Jim Traynor, representative for the applicant, was present and requesting a Special Use Permit to allow a Trap & Skeet Range on 145 acres MOL. There were nine (9) notices sent. Of the nine (9) notices sent, one (1) was returned in favor and two (2) were returned in objection. There were five (5) audience members present to object. Mrs. Cassels read the letters of objection into the record. Mr. Cornelius read the conditions for approval in the staff report. Mr. Berry stated he spoke to Mr. Traynor prior to the meeting.

Mr. Traynor discussed what would occur at the range and the location of the range on the property. Mr. Traynor discussed the proposed youth oriented safety programs and new shooter programs. Mr. Traynor stated shooters would use shotguns only. Mr. Traynor explained they have performed tests for the noise levels and shot fall zones. Mr. Traynor explained the differences between skeet ranges and trap ranges.

The objecting audience members spoke in regard to noise levels, no alcohol, and the range open to the public, the cost to the public, the surrounding residential areas, property values, human error in relationship to gun uses traffic, and incompatibility of the use with the surrounding neighborhood.

Mr. Woody Hill, ZAB member, arrived during the audience member objections.

Mr. Stafford, representing the applicant, explained the different positions and squads, and time each person take in the trap and skeet ranges. Mr. Cornelius explained Special Use Permits are exceptions for what is permitted in the Agricultural areas and require special consideration. Mr. Cornelius also explained this type of use is not specifically in the Code, which is why it is a Major Special Use which has to go to the Board of County Commissioners (BOCC) for final approval.

The members of the Zoning and Adjustment Board (ZAB) discussed proposed noise levels and compatibility with the surrounding land uses. Mr. Cornelius stated the County's noise ordinance is enforced by the Sheriff's Office. The county's noise ordinance is subjective.

Mr. Topping made a motion to recommend approval, with Staff conditions and dedication of the right of way for CR 237, of the Major Special Use Permit to allow a Trap & Skeet Range to the Board of County Commissioners. Mr. Berry seconded the motion. The motion failed with a roll call vote: Frank Topping – aye, Ron Berry – aye, Brad Shepherd – aye, Richard Cole – aye, Woody Hill – nay, Dossie Singleton – nay, Nathan Yoder – nay, Marge Thies – nay, Frank Szczepanski – nay, Larry Story – nay.

A second motion was made by Frank Szczepanski to recommend denial of the Major Special Use Permit to the Board of County Commissioners based on it's commercial character, noise and traffic concerns, and incompatibility with the surrounding land uses. Ms. Thies seconded the motion and the motion carried with a roll call vote: Frank Topping – nay, Ron Berry – nay, Brad Shepherd – nay, Richard Cole – aye, Woody Hill – aye, Dossie Singleton – aye, Nathan Yoder – aye, Marge Thies – aye, Frank Szczepanski – aye, Larry Story – aye.

Ms. Thies made a motion to adjourn the meeting at 8:20 p.m. Mr. Cole seconded the motion and the motion carried.

Larry Story, Chairman
Zoning and Adjustment Board